

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

BRIAN ISIAH HOLMES, JR.,

Plaintiff,

:

v.

Case No. 2:23-cv-3147  
Chief Judge Sarah D. Morrison  
Magistrate Judge Peter B.  
Silvain, Jr.

OHIO DEPARTMENT OF  
REHABILITATION AND  
CORRECTIONS, *et al.*,

:

Defendants.

**ORDER**

This matter is before the Court on the Magistrate Judge's Report and Recommendation recommending that ODRC Director Annette Chambers-Smith's Motion to Dismiss be denied. (R&R, ECF No. 25.) The time for filing objections has passed, and no objections have been filed. The Court thus **ADOPTS** and **AFFIRMS** the Report and Recommendation (ECF No. 25). Accordingly, Director Chambers-Smith's Motion to Dismiss (ECF No. 17) is **DENIED**.

**IT IS SO ORDERED.**

/s/ Sarah D. Morrison  
**SARAH D. MORRISON, CHIEF JUDGE**  
**UNITED STATES DISTRICT COURT**